

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE



Inventor(s): Delenstarr

Serial No.: 09/899,381

Examiner: Bradley L. Sisson

Filing Date: 07-02-2001

Group Art Unit: 1634

Title: ARRAYS HAVING BACKGROUND FEATURES AND METHODS FOR USING THE SAME

COMMISSIONER FOR PATENTS
PO Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER
RESPONSIVE TO A PROVISIONAL DOUBLE PATENTING REJECTION

Sir:

Petitioner, Agilent Technologies Inc., is the owner of 100 percent interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 09/398,399, filed on 09-17-1999. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Please charge the required fee set forth in 37 CFR 1.29(d) of \$110.00 to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-1078 pursuant to 37 CFR 1.25.

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Date of Deposit: **08-09-2004**

Typed Name: **Donna Macedo**

Signature: *Donna Macedo*

Respectfully submitted,

Delenstarr

By *[Signature]*

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